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October 24, 2007

VIA TELEFAX (212) 805-7901

The Honorable Harold Baer, Jr.
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Air-City, Inc. v. Brooks Fitch, et al.*
Docket No. 07 Civ. 7315 (HB)
Our File No.: 209893

Dear Judge Baer:

We are attorneys representing plaintiff AIR-CITY, INC. in the above captioned matter and are pleased to report that the parties have settled this matter.

We write to respectfully request that the initial pretrial conference scheduled for Thursday, October 25, 2007 at 3:00 p.m. be adjourned *sine die*.

Opposing counsel joins in this request.

The parties will be circulating a Stipulation of Discontinuance and anticipate being ~~able~~ to submit an original for the Court's review and approval by early next week.

We thank the Court for its usual attention and courtesies, and remain,

Respectfully yours,

COZEN O'CONNOR


By: David Y. Loh

DYL/ncb
cc: Thomas Carulli, Esq. (By E-Mail)

*Sorry we are unable to
attend the hearing on 10/25/07
as we have a conflict.
That will be rescheduled for another date.
Respectfully yours,
Harold Baer Jr., U.S.D.J.
Date: 10/25/07*

Endorsement:

Sorry be here or fax stip and use my language that allows 30 or 60 days to finalize or apply to reinstate.